

Serial No. 10/755,737

Atty. Doc. No. 2001P07236WOUS

REMARKS

Applicant has amended claims 2-5 and 12-15, withdrawn claims 1, 6-11, 16-20, and added claims 21 - 23. Thus, claims 2-5 and 12-15 are pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response To Rejections Under Section 102:

Claims 2-5 and 12-15 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Armacost (USPN 2,404,938). The Examiner apparently reads Armacost as disclosing the Applicant's claimed method of operating a steam power plant.

Applicant has amended claim 1 to include the further limitation of connecting a regulating device to the air turbine and a temperature sensor such that the regulating device controls the output to be extracted from the combustion air as the combustion air flows through the air turbine (see e.g. Applicant's specification page 10 line 35 through page 11 line 5 and page 12 lines 13 - 15). In contrast, Armacost does not disclose a method of operating a steam power plant comprising any of the recited limitations.

In view of the above, independent claim 1 is patentable. Dependent claims 2-5 and 12-15 are also patentable at least based on their dependency from claim 1 as well as based on their own merit. Therefore, Applicant respectfully requests that the Examiner withdraw the Section 102 rejection.

Discussion of New Claims 21 and 22:

New claims 21 - 23 further define the scope of the invention, as described in the specification and drawings. New claims 21 - 23 are patentable based on their dependency from claim 1 as well as on their own merit. For example, claim 21 recites the additional limitation of the temperature of the pre heated combustion air being cooled by expanding the combustion air through the air turbine (see e.g. Applicant's specification page 3 lines 21 - 25). This limitation is neither taught or suggested by Armacost. Also, new claim 22 recites that the combustion air is cooled to a temperature level adapted to a specific operating state of the steam power plant (see e.g. Applicant's specification page 3 lines 21 - 25). Furthermore, new claim 23 recites the pre

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heated combustion air is compressed by a compressor powered by the expanded combustion air from the air turbine (see e.g. Applicant's specification page 3 line 30 through page 4 line 1).

In view of the foregoing remarks regarding claims 2 - 5 and 12 - 15, Applicant respectfully submits that claims 21 - 23 are patentable and respectfully request allowance of these claims.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Dated: 8/31/05

Respectfully submitted,

By: 

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830